

Notice of Allowability

Application No.

10/736,475

Examiner

Barry J. Gooden Jr.

Applicant(s)

LINCOLN ET AL.

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/23/06 (Amendment).
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DAVID R. DUNN
PRIMARY EXAMINER

DETAILED ACTION

This office action is in response to the amendment filed February 23, 2006. Currently claims 1-16 are amended. Claims 17-20 are new.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lonnie Drayer on April 12, 2006.

The application has been amended as follows:

In Claim 4: --, preferably screws rivets or bolts,-- has been deleted.

Claim 7 is amended to recite the following: "The airbag module according to claim 6, wherein at least one end of the clamping member is designed in the shape of a hook for engagement with the frame part."

Claim 8 is amended to recite the following: "The airbag module according to claim 6, wherein at least one end of the clamping member has a swivel device, which is connected to the frame part so as to be capable of swiveling and/or tilting relative thereto."

In Claim 9: --, such as for example stitching, gluing or welding,-- has been deleted.

Claim 14 is amended to recite the following: "The airbag module according to claim 1, disposed in at least one of a seat region or a back rest region of a vehicle seat."

Claim 15 is amended to recite the following: "The airbag module according to claim 1 disposed in at least one of a knee region or a foot region of the vehicle behind an interior trim member of the vehicle."

Claim 16 is amended to recite the following: "The airbag module according to claim 1 disposed in at least one of a floor region of a vehicle below a floor mat or a floor lining of the vehicle."

In Claim 18: --, preferably screws rivets or bolts,-- has been deleted.

2. The following is an examiner's statement of reasons for allowance:

In regards to claims 1 and 12, the Examiner agrees with the applicant's arguments.

Additionally, regarding claim 12, the prior art fails to show a tubular airbag, the free ends of which, to form loops, are flattened and folded over. In reference to Sakai et al., US Publication 2004/0100075, Sakai et al. shows a similar folded over arrangement; however, the structure of Sakai et al. is not an airbag, it is a webbing surrounding an airbag. Steiner et al. (US 5,904,370) shows an airbag with folded over ends, however, Steiner fails to show a tubular airbag. The prior art, individually or in combination, fails to disclose or make obvious applicant's claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yoshikawa et al., US Publication 2006/0017266, shows a similar airbag arrangement, however, it is not prior art.


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry J. Gooden Jr. whose telephone number is (571) 272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJG

Barry J Gooden Jr.
Examiner
Art Unit 3616



DAVID R. DUNN
PRIMARY EXAMINER